



GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

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February 25, 2008

To: ALL INTERESTED PARTIES

Subject: REQUEST FOR PROPOSAL FOR THE EQUALITY FOR PREVENTION AND SERVICES FOR DOMESTIC ABUSE PROGRAM

The Governor's Office of Emergency Services (OES) is pleased to announce the release of the Request for Proposal (RFP) for the Equality for Prevention and Services for Domestic Abuse (EPSDA) Program. The purpose of this RFP is to fund approximately four projects, with at least one in northern California and one in southern California. The EPSDA Program funds nonprofit organizations, which can provide domestic violence services to the lesbian, gay, bisexual, and transgender population.

The grant period will begin June 15, 2008 and end June 30, 2009. This program is funded through State Penalty Assessment funds. The total funding amount for the EPSDA Program for Fiscal Year (FY) 2008/09 is anticipated to be approximately \$300,000. Projects will be awarded on a competitive basis, each receiving approximately \$75,000. A twenty percent match (cash, in-kind, or both), based on total project cost formula allocation, is required.

Funding is contingent upon appropriations of the State Budget Act. If during the current grant year and/or subsequent years the State does not appropriate sufficient funds for the program, funding may be reduced and the grant will be amended to reflect the reduced amount. If funding is cancelled the contract is voided, and the State has no liability to pay any funds.

To be considered for funding in FFY 2008/09, it is necessary to complete and return the attached EPSDA Program RFP by **5:00 p.m. on Monday, April 7, 2008**.

A copy of the RFP EPSDA Program is available on the OES' Website at: www.oes.ca.gov; Law Enforcement and Victim Services Division (mid-page, right-hand side); RFP Funding Information; Equality for Prevention and Services for Domestic Abuse Program Request for Proposal. You may also request the EPSDA Program RFP by writing to: Governor's Office of Emergency Services, Attn: Equality for Prevention and Services for Domestic Abuse Program RFP – Law Enforcement and Victim Services Division, 3650 Schriever Avenue, Mather, California 95655. Please ask questions via email to Roseann St.Clair at: roseann.stclair@oes.ca.gov.

Sincerely,

Original On File at OES

SCOTT B. FRIZZIE
Deputy Director

**GOVERNOR’S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**EQUALITY FOR PREVENTION AND SERVICES
FOR DOMESTIC ABUSE (EPSDA) PROGRAM
COMPETITIVE REQUEST FOR PROPOSAL**

TABLE OF CONTENTS

[Printable Version](#)

I. RFP INFORMATION

A. INTRODUCTION	1
B. CONTACT INFORMATION	1
C. PROPOSAL DUE DATE	1
D. ELIGIBILITY	2
E. FUNDS	2
F. PROGRAM INFORMATION	3
G. PREPARING A PROPOSAL	4

II. INSTRUCTIONS

A. PROJECT NARRATIVE	5
1. Problem Statement	5
2. Plan and Implementation	6
B. PROJECT BUDGET	9
1. Budget Narrative	10
2. Specific Budget Categories	10
C. PROPOSAL APPENDIX	12
D. PREFERENCE POINTS CERTIFICATION	13

III. ADDITIONAL INFORMATION

A.	SELECTION OF PROPOSAL FOR FUNDING	14
1.	Proposal Rating	14
2.	Funding Recommendations	14
3.	Notification Process	15
B.	FINALIZING THE GRANT AWARD AGREEMENT	15
1.	Standard Project Funding Authority	15
2.	Processing Grant Awards	15
C.	ADMINISTRATIVE REQUIREMENTS	16
1.	The <i>Recipient Handbook</i>	16
2.	Internet Access	16
3.	Progress Reports and Data Collection	16
4.	Monthly/Quarterly Report of Expenditures and Request for Funds (OES 201)	16
5.	Technical Assistance/Site Visits	16
6.	Monitoring Requirements	17
7.	Bonding Requirements	17
8.	Audit Requirements	17
9.	Copyrights, Rights in Data and Patents	17
10.	Source Documentation	17
D.	BUDGET POLICY	18
1.	Supplanting Prohibited	18
2.	Project Income	18
3.	Contracts and Procurements	18
4.	Match Policies	18
5.	Travel Policies	19
6.	Participating Staff	20
7.	Consultant Services	21
8.	Facility Rental	22
9.	Rented or Leased Equipment	22
10.	Indirect Costs/Administrative Overhead	22
11.	Audits	22
12.	Equipment	22
13.	Prohibited Expense Items	24

E.	GLOSSARY OF TERMS	26
F.	RATING FORM	28
H.	SUMMARY OF PAST PERFORMANCE POLICY	32

- IV. **FORMS** -Click on one of the form links below to access the form. Save the form to your hard drive before you attempt to fill it out. To access the complete list of forms on our website click on **or** go to www.oes.ca.gov and select “Forms”, **or** paste the following link into your browser: **www.oes.ca.gov/Operational/OESHome.nsf/CJPDHome?OpenForm**

[PROPOSAL CHECKLIST AND REQUIRED SEQUENCE](#)

[PROPOSAL COVER SHEET](#)

[GRANT AWARD FACE SHEET AND INSTRUCTIONS](#)

[PROJECT CONTACT INSTRUCTIONS AND INFORMATION](#)

[CERTIFICATION OF ASSURANCE OF COMPLIANCE – OES 656](#)

[SIGNATURE AUTHORIZATION AND INSTRUCTIONS](#)

[PROJECT NARRATIVE](#)

[APPLICATION BUDGET – BUDGET NARRATIVE](#)

[BUDGET FORMS \(Excel spreadsheet format\) – c. With % Match-](#)

[Personal Services – Salaries/Employee Benefits](#)

[Operating Expenses](#)

[Equipment](#)

[PROJECT SUMMARY](#)

[SAMPLE OPERATIONAL AGREEMENT](#)

[NONCOMPETITIVE BID REQUEST CHECKLIST](#)

[OUT OF STATE TRAVEL REQUEST](#)

[EMERGENCY FUND PROCEDURES](#)

[OTHER FUNDING SOURCES](#)

[PROJECT SERVICE AREA INFORMATION](#)

[COMPUTER AND AUTOMATED SYSTEMS PURCHASE JUSTIFICATION](#)

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**EQUALITY FOR PREVENTION AND SERVICES FOR
DOMESTIC ABUSE (EPSDA) PROGRAM
COMPETITIVE REQUEST FOR PROPOSAL**

PART I – INFORMATION

A. INTRODUCTION

This Request for Proposal (RFP) provides the information and forms necessary to prepare a proposal for the Governor's Office of Emergency Services (OES) grant funds. The terms and conditions described in this RFP supersede previous RFPs and conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the proposal and can be accessed at the website, www.oes.ca.gov, by selecting "*Recipient Handbooks*."

B. CONTACT INFORMATION

Questions concerning this RFP, the application process, or programmatic issues, should be submitted by e-mail to:

Roseann St.Clair, roseann.stclair@oes.ca.gov.

Contact information is provided above; however, OES staff cannot assist the applicant with the actual preparation of its proposal. During the period of time between the publication date of the RFP and the date the competitive proposal is due, OES can only respond to technical questions about the RFP submitted by e-mail.

C. PROPOSAL DUE DATE AND SUBMISSION OPTIONS

One original and three copies of the proposal must be delivered to OES' Law Enforcement and Victim Services Division by the date and time indicated below. ***A late proposal will be deemed ineligible for funding.*** Submission options are:

1. Regular or overnight mail, **postmarked by Monday, April 7, 2008** to:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Equality for Prevention and Services for Domestic Abuse Program, Law
Enforcement and Victim Services Division

2. Hand delivered by **5:00 p.m. on Monday, April 7, 2008** to:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Equality for Prevention and Services for Domestic Abuse Program, Law
Enforcement and Victim Services Division

D. ELIGIBILITY

The Equality for Prevention and Services for Domestic Abuse (EPSDA) Program is designed to provide services to the Lesbian, Gay, Bisexual, and Transgender Domestic Violence (LGBTDV) populations. Only California nongovernmental organizations or entities which provide shelter, programs, or services to victims of domestic violence and their children and have a demonstrated history of working in the area of domestic violence serving the lesbian, gay, bisexual, and transgender community are eligible to apply.

E. FUNDS

1. The Grant Award Period
The funding cycle is anticipated to begin June 15, 2008 and end June 30, 2009. Each grant award period will be for one year, contingent upon availability of funds.
2. Source of Funds
Funds for the EPSDA Program are derived from the State Penalty Assessment Fund which is a special fund which obtains revenue from convictism, penalty assessments, etc.
3. Allocation of Funds
It is anticipated approximately \$300,000 will be available for up to four grants at approximately \$75,000 each. The Office of Emergency Services will award at least one grant in southern California and one grant in northern California.
4. Selection Criteria
 - Whether the proposed program or services would further the purpose of promoting healthy, nonviolent relationships in the lesbian, gay, bisexual, and transgender community.
 - Whether the proposed program or services would reach a significant number of people in and have the support of the lesbian, gay, bisexual, and transgender community.
 - Whether the proposed program or services are grounded in a firm understanding of domestic violence and represent an innovative approach to addressing the issue.
 - Whether the proposed program or services would reach unique and underserved sectors of the lesbian, gay, bisexual, and transgender community, such as youth, people of color, immigrants, elder, and transgender populations.
5. Match Requirements
 - The funding source of the EPSDA Program requires a match. For the purpose of this RFP, calculate a twenty-percent (20%) cash and/or in-kind match on the total project cost and clearly identify it in the budget. The match must be derived from non-federal sources and is intended to augment the amount of resources available to the project.

All funds designated as match are restricted to the same uses as the funds under the EPSDA grant.

F. PROGRAM INFORMATION

1. Introduction

The purpose of this RFP is to solicit proposals from eligible applicants for the Equality for Prevention and Services for Domestic Abuse Program.

The California Legislature finds the problem of domestic violence in the lesbian, gay, bisexual, and transgender community to be serious and increasing magnitude. The Legislature also finds that excising domestic violence services for this population are underfunded and that members of this population are unserved or underserved in the state. Therefore, it is the intent of the Legislature that a goal or purpose of the Office of Emergency Services (OES) shall be to increase access to culturally appropriate domestic violence education, prevention, and services for the lesbian, gay, bisexual, and transgender community.

The goal of the EPSDA Program is to establish a targeted or directed grant program for the development and support of domestic violence programs and services for the lesbian, gay, bisexual, and transgender community.

2. Program Purpose

Provide local assistance to existing service providers to maintain and/or expand services to Lesbian, Gay, Bisexual, and Transgender (LGBT) victims of domestic violence and their children.

The purpose of the program is to fund domestic violence programs and services including, but not limited to all of the following:

- Twenty-four hour crisis hotline;
- Counseling;
- Court and social service advocacy;
- Legal assistance with temporary restraining orders, devices, and custody disputes;
- Community resources and referrals;
- Household establishment assistance;
- Emergency housing; and
- Educational workshops and publications.

3. Service Standards

a. Access to Services

The EPSDA services shall be made available to all LGBT domestic violence victims regardless of income. No income eligibility standard may be imposed upon individuals with respect to eligibility for assistance or services supported by state and federal funds.

b. Use of Volunteers

All projects funded through the EPSDA Program must use volunteers to the greatest extent possible. Projects must demonstrate the utilization of volunteers in the overall operations of the EPSDA Program. In order to provide the mandated services described in Part II, Section A, #2 "Plan and Implementation", which are imperative to the basic rights and needs of victims of domestic violence, all projects funded under the EPSDA must ensure all staff and volunteers having client contact meet the definition of a "DV Counselor" as specified under Evidence Code Section 1037.1(a) (See Attachment A). Therefore, project shall provide the minimum training specified under Section 1037.1(a)(2) (See Attachment A) to

those staff and volunteers who do not meet the definition under Section 1037.1(a)(1). Specific instructions regarding training are provided in Section F., 4. "Training".

4. Training

Applicants should review the Evidence Code Section 1037.1.a.1 et. seq. (See Attachment A) for the legal definition of a DV counselor. Any employee or volunteers of the project working in the capacity as a DV counselor is required to attend a 40-hour domestic violence training which covers the topics outlined in the evidence code. The training curricula should include, but is not limited to, the following topic areas: history of domestic violence, civil and criminal law relating to domestic violence, societal attitudes towards domestic violence, peer counseling techniques, housing resources, public assistance and other financial resources available to meet the financial needs of domestic violence victims, and referral services available to LGBT DV victims.

G. PREPARING A PROPOSAL

The Table of Contents includes a link to a Proposal Cover Sheet. Please complete the proposal Cover Sheet and attach it to the front of your proposal.

The following nine components are required for a complete proposal:

- Proposal Cover Sheet;
- Grant Award Face Sheet (OES A301);
- Project Contact Information;
- Certification of Assurance of Compliance;
- Signature Authorization and Instructions;
- Preference Points Certification Form (*if applicable*);
- Project Narrative;
- Budget Narrative and the Project Budget (OES A303a-c); and
- Proposal Appendix (*refer to Part II, C.*).

NOTE: Failure to include the required components may result in a reduced score or disqualification. OES will *not* advise the applicant the proposal is incomplete prior to rating or disqualification.

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PART II – INSTRUCTIONS

The instructions in this section correspond to each of the proposal components and to the forms required to complete the proposal.

The applicant must use the forms provided in “Forms” ([FORMS](#)) and plain 8½” x 11” white paper for the proposal. The blank Project and Budget Narrative pages on the website have been pre-formatted to OES standards. If you create your own computer-generated Project and Budget pages, the format must duplicate the OES pre-formatted pages and not allow the applicant more space than provided on the OES forms. The applicant must ensure information requested by the RFP instructions is included in the appropriate section of the proposal to receive credit. If a space limitation is specified for a component, strict adherence to the space limitation is required to avoid a reduction in the proposal's score.

Copies of the proposal must be assembled separately and individually fastened in the upper left corner. ***Do not bind proposal.***

Failure to comply with these spacing/formatting requirements is one of the factors which may negatively impact the applicant's comprehensive assessment score.

A. PROJECT NARRATIVE

The project narrative is the main body of information describing the problem to be addressed, the plan to address the identified problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the proposed plan.

1. Problem Statement

This section addresses the problem of domestic violence in the applicant's service area and the need for services for domestic violence victims. The following list outlines the items which must be addressed in the Problem Statement:

Provide a community profile of the service area describing the following:

- The geographic size and location;
- The population size;
- The prevailing socio-economic conditions;
- The prevalence of domestic violence in the lesbian, gay, bisexual, and transgender population, including as much county or organizational data to support the problem statement;
- Current domestic violence services and resources, including their availability, and their accessibility;

- The types of services needed in the service area to address domestic violence and victimization in the lesbian, gay, bisexual, and transgender population.

2. Plan and Implementation

Plan:

This section provides the applicants overall plan to address the problem of domestic violence as describe above. The specific activities implemented for meeting the mandated objectives will be included in the section entitled "Implementation". The applicant shall address the following areas in its plan:

- How the project will address and impact the problem;
- How the project will respond to the diversity of clients in the service area, including cultural, ethnic, language, and religious diversity, as well as physical and/or emotional disabilities;
- How emergency services will be provided, such as shelter, food, vouchers, etc;
- How the agency's services are made known and accessible to the public;
- Where primary referrals originate;
- Examples of how the project has collaborated and coordinated resources and services with other agencies serving the LGBT community in the past and the commitment to continue that coordination and collaboration in the future;
- Concerns in the handling of domestic violence incidents in the LGBT community and the agencies plan to try and address those concerns;
- Any future plans for improvement or expansion of existing services.

Implementation:

Include a brief history of your organizations goals, including:

- Date of establishment. If applicable, explain any changes in your business history or organizational structure which will assist OES in determining your qualification.
- A description of your organization goals which are relevant, closely related, or will complement this project.

Describe the experience which qualifies your organization to undertake this project. At a minimum demonstrate your organizations possession of experience in providing the LGBT DV specific services or capacity to provide LGBT specific services based on the types listed in this section. Applicants must have experience or demonstrate capacity in the following areas:

- Fostering a welcoming environment – Describe your organization's experience in developing written materials about domestic violence which is inclusive of LGBT persons (including websites).
- Tracking LGBT persons – Describe your organization's experience and process for tracking LGBT persons (including any mechanism used and policy and procedures in place).
- Intake interviewing and case management – Describe your organization's experience in conducting intake or providing case management services to LGBT persons (include any procedures for screening and identifying victims of LGBT DV and/or training provided to staff).
- Community outreach and partnership – Describe your organization's experience in collaborating with LGBT services providers and your partnership with local LGBT organizations.
- Policies and procedures – Describe any LGBT specific policies and procedures your organization has implemented to ensure a safe and welcoming environment for LGBT DV survivors and cultural competency in program and service delivery.

Objectives

A quantitative service goal must be provided for each of the objectives based on a best estimate for the number of service units the applicant expects to fulfill. In order to provide the best estimate for achieving realistic goals, please note the actual “unit” being counted. In some cases it will be the number of victims and in some cases it will be the number of services.

Estimated objectives should be based on the project’s service history and reasonable expectation corresponding to the service area. Funded projects will be expected to meet the service goals in the grant award agreement. Funded projects not meeting their service goals may be determined to be out of compliance.

Please note: Projects may choose to provide any or all of the eight objectives, but all eight objectives must be provided throughout the state to the lesbian, gay, bisexual, and transgender population.

Objective 1: To Maintain a 24-Hour Crisis Hotline

Describe how LGBT DV victim’s calls are handled. Provide a detailed description of the procedures employed to provide 24-hour crisis intervention and assistance, including how calls are handled during business hours and non-business hours. Describe how the crisis line is staffed and supervised. Describe what, if any, back-up procedures are utilized, and what, if any, quality control measures are in place.

Discuss documentation procedures for the hotline, including the distinction between crisis calls and non-crisis calls. Provide the existing Hotline Telephone Number _____.

Objective 2: To Provide Counseling to Adult LGBT DV Victims

Describe individual and peer group counseling provided to LGBT DV victims including:

- The staff responsible for providing the counseling, both individual and peer/group, and their qualifications;
- The type of individual counseling provided and the type of peer support or group counseling provided;
- The supervision of staff; and
- The location(s) of where the counseling takes place.

As used in this RFP, a domestic violence counselor means a person who is employed by a domestic violence victim service organization, whether compensated or not for the purpose of rendering advice or assistance to victims of domestic violence and who has at least 40 hours of training as specified Part I, Section F, #4 “Training”.

A domestic violence counselor who has been employed by the domestic violence victim service organization for a period of less than six months shall be supervised by a domestic violence counselor who has a least one year of experience counseling domestic violence victims for the domestic violence victim service organization.

If LGBT DV victims are referred outside the project to receive individual or group/peer counseling, discuss the referral system used, why referrals are necessary, and whether or not the applicant has current operational agreements with the service providers to where clients are referred.

Discuss documentation procedures for both in-house and referrals including policies and procedures to ensure client confidentiality.

Service Goals:

Number of LGBT DV victims who will receive Individual Counseling during the grant year: _____

Number of Individual Counseling Sessions to be held during the grant year: _____

Number of LGBT DV victims who will receive Peer Support/Group Counseling during the grant year: _____

Number of Peer Support/Group Counseling Sessions to be held during the grant year: _____

Number of LGBT DV victims to be referred to an outside agency during the grant year for:

Individual Counseling _____ Peer Support/Group Counseling _____

Objective 3: To Provide Court and Social Service Advocacy for LGBT DV Victims

Describe how the project advocates on behalf of its clients to other social service agencies.

Discuss scenarios in which this advocacy would take place. Describe court accompaniment services provided to LGBT DV victims by the project. Include the position titles of those staff who are responsible for providing advocacy and court accompaniment.

Discuss documentation procedures.

Service Goals:

Number of LGBT DV victims who will be provided social service advocacy services by the project during the grant year: _____

Number of LGBT DV victims who will be provided court accompaniment services by the project during the grant year: _____

Objective 4: To Provide Legal Assistance with Temporary Restraining Orders (TROs) and Other Protective and/or Custody Orders for LGBT DV Victims

Discuss how legal assistance is provided by the project to LGBT DV victims. Describe how the LGBT victims are assisted in obtaining TROs and other protective and/or custody orders.

Describe the qualifications of project staff providing the legal assistance. Describe the supervision of project staff providing the legal assistance.

If the LGBT DV victims are referred to an outside agency for legal assistance, discuss the referral system used, why referrals are necessary, and whether or not the applicant has current operational agreements with the service providers to where clients are referred.

Discuss documentation procedures.

Service Goals:

Number of LGBT DV victims who will receive legal assistance with TROs, protective and/or custody orders by the project during the grant year: _____

Number of LGBT DV victims who will be referred to an outside agency to receive legal assistance with TROs, protective and/or custody orders during the grant year: _____

Objective 5: To Provide Community Resource and Referral Information

Discuss the project's involvement in the local DV Council and any other collaborative DV partnerships that exist in the service area. Describe the local community social service network and the DV project's role in the network. Identify the agencies in the network and the types of services they provide. Discuss when and how LGBT DV victims are referred to agencies outside the DV project for assistance.

Discuss documentation procedures.

Service Goals:

Number of collaborative meetings attended by staff of the DV project during the grant year: _____

Number of LGBT DV victims provided resource and referral information _____.

Objective 6: To Provide Household Establishment Assistance to LGBT DV Victims

Describe how the project provides assistance to LGBT DV victims attempting to establish new residence, which includes transitional housing, furniture, food, transportation, cash donations, etc. Discuss any community support in this assistance.

Discuss documentation procedures.

Service Goals:

Number of LGBT DV victims to receive household establishment assistance by the project during the grant year: _____

Objective 7: To Provide Emergency Shelter Services to LGBT DV Victims

Describe how emergency shelter services are provided. Describe the client screening process and eligibility requirements. Describe the project's ability to provide services to victims with disabilities, youth, and elders.

Discuss documentation procedures.

Service Goals:

Number of adult LGBT DV victims to be sheltered during the grant year: _____

Objective 8: To Develop Education Workshops and Publications

Discuss the project's involvement in the local education workshops and publications already developed for the lesbian, gay, bisexual, and transgender population.

Discuss documentation procedures.

Service Goals:

Number of education workshops conducted by staff of the DV project during the grant year: _____

Optional Objectives: In order to provide OES with a clear understanding of the services provided by the applicant agencies, include other objectives not mentioned above. If providing optional objectives include clear service goals. Note: All optional objectives will not be rated.

B. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the proposed plan with the funds available through this program. The budget is the basis for management, fiscal review, and audit. Project costs must be directly related to the objectives and activities of the project. The budget must cover the entire grant period. In the budget, include **only** those items covered by grant funds including match funds when applicable. Projects may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, applicant should not include in the project budget matching funds (if applicable) in excess of the required match. Budgets are subject to OES modifications and approval.

OES requires the applicant to develop a **line item** budget which will enable the project to meet the intent and requirements of the program and ensure the successful and cost effective implementation of the project. The applicant should prepare a realistic and prudent budget avoiding unnecessary or unusual expenditures which detract from the accomplishment of the objectives and activities of the project. The following information is provided to assist in the preparation of the budget. Strict adherence to required and prohibited items is expected. **Where the applicant does not budget for a required item, the applicant assumes responsibility.** Failure of the applicant to include required budget items does not eliminate responsibility to comply with those requirements during the implementation of the project. The applicant should refer to the *Recipient Handbook* at www.oes.ca.gov by selecting: “*Recipient Handbooks*” for additional information concerning OES budget policy or to determine if specific proposed expenses are allowable. Contact the person listed on page 1-subsection B of this RFP if you have additional budget questions.

The funding source of the EPSDA Program requires a match. For the purpose of this RFP, calculate a twenty-percent (20%) cash and/or in-kind match and clearly identify it in the budget. The match must be derived from non-federal sources and is intended to augment the amount of resources available to the project. All funds designated as match are restricted to the same uses as the funds under the EPSDA grant.

1. **Budget Narrative**

The applicant is required to submit a narrative with the project budget. The narrative must be typed and placed in the proposal in front of the budget pages. In the narrative describe:

- How the project's proposed budget supports the objectives and activities.
- How funds are allocated to minimize administrative costs and support direct services.
- The duties of project-funded staff including qualifications or education level necessary for the job assignment. This does not take the place of the brief justification required in the line item budget.
- How project-funded staff duties and time commitments support the proposed objectives and activities.
- Proposed staff commitment/percentage of time to other efforts, in addition the time allocated to this project.
- The necessity for subcontracts and unusual expenditures.
- Mid-year salary range adjustments.

2. **Specific Budget Categories**

There is an Excel Workbook in “Forms” ([FORMS](#)) with spreadsheets for each of the following three budget categories:

- Personal Services – Employee Salaries/Benefits;
- Operating Expenses; and
- Equipment.

The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the amount of each line item and match in the correct column of the Budget Category form. The spreadsheet will add each addition and round off the nearest whole dollar. You may add extra rows if necessary,

the spreadsheets total at the end of each budget category and total the three spreadsheets at the bottom of the last page (Equipment). The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

a. Personal Services – Salaries/Employee Benefits (OES A303a)

1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified by position and percentage of salaries. They may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must be budgeted as salaries. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds. Salaries for staff not directly employed by the applicant must be shown as participating staff (see *Recipient Handbook*, Section 4500) in the Operating Expenses Category. Consultant services remain under Operating Expenses (refer to Part II, B.2.b. - Operating Expenses - paragraph two.)

2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

b. Operating Expenses (OES A303b)

Operating expenses are defined as necessary expenditures other than personal salaries, benefits and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (e.g., to further the program objectives as defined in the grant award) and be encumbered during the grant period.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5000 (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise, these fall under equipment expenses.

Salaries for staff not directly employed by the applicant must be shown as consultant and/or participating staff costs (whichever is applicable per *Recipient Handbook* Sections

3710 and 4500) under the Operating Expenses category. These costs must be supported by an Operational Agreement (OA), which must be kept on file by the recipient and made available for review during an OES site visit, monitoring visit, or audit. In the case of grants being passed through a recipient to be operated by another agency, the staff from the second agency will be shown in the Operating Expenses Category.

Budget for anticipated training related to the project. The applicant must include sufficient per diem and travel allocations for person(s) to attend required OES training conferences or workshops.

c. Equipment (OES A303c)

Equipment is defined as nonexpendable tangible personal property having **a useful life of more than one year** and an acquisition cost of \$5000 or more per unit (including tax, installation, and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

C. PROPOSAL APPENDIX

The proposal appendix provides OES with additional information from the applicant to support components of the proposal. The following must be included:

- Organizational Chart: The Organizational Chart should clearly depict the structure of the applicant organization and the specific unit within the organization responsible for the implementation of the project. This chart should also depict supporting units within the organization (e.g., the Accounting Unit) and the lines of authority within the organization. Job titles on the Organizational Chart must match those in the Budget and Budget Narrative.
- Operational Agreements: *OAs must contain original signatures, titles, and agency names for both parties and include dates effective for the proposed grant period.* These documents must demonstrate a formal system of networking and coordination with other agencies and the applicant. A sample OA is in “Forms” ([FORMS](#)).
- Project Summary
- Noncompetitive Bid Request
- Emergency Fund Procedures
- Other Funding Sources
- Project Service Area Information
- Computer and Automated Systems Purchase Justification Guidelines

D. PREFERENCE POINTS CERTIFICATION

California Government Code Section 7082 requires OES to give preference to applicants from areas in the state designated as Enterprise Zones. These are areas identified to receive state contract preference points due to high unemployment, lower incomes and population density. The goal of the Enterprise Zone Program is to stimulate growth in economically distressed areas. Five percent (5%) of the proposal's total score will be added to the proposal for the applicant specifically targeting a designated Enterprise Zone for services. Two percent (2%) of the applicant's total

score will be added to the proposal for the applicant whose service area includes an Enterprise Zone, but does not specifically target the area for services.

Complete information concerning the Enterprise Zone Program is available on-line from the Housing and Community Development, Division of Financial Assistance web page at <http://www.hcd.ca.gov/fa/cdbg/ez/>. If the applicant is eligible for preference points, certification of eligibility by the appropriate agency must be provided. Self-certification is not allowed.

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**EQUALITY FOR PREVENTION AND SERVICES
FOR DOMESTIC ABUSE (EPSDA) PROGRAM**

COMPETITIVE REQUEST FOR PROPOSAL

PART III – ADDITIONAL INFORMATION

The applicant is strongly encouraged to review the following sections in preparing the proposal:

- A. Selection of Proposal for Funding
- B. Finalizing the Grant Award Agreement
- C. Administrative Requirements
- D. Budget Policy
- E. Glossary of Terms
- F. Rating Form (applicant is encouraged to review prior to submission of the proposal)
- G. Summary of Past Performance Policy

A. SELECTION OF PROPOSAL FOR FUNDING

1. Proposal Rating

Eligible proposals received by the deadline are generally rated by a three member team. The rater's scores are averaged and then ranked numerically. The Rating Form used for this process is included in this section and is for informational purposes only.

2. Funding Recommendation

Final funding decisions are made by the Director of OES. Funding recommendations are based on the following:

- the ranked score of the proposal;
- consideration of funding priorities or geographical distribution specific to this RFP; and
- prior negative administrative and programmatic performance, if applicable.

In order to be considered for funding, an eligible proposal must receive at a minimum 50% of the total points possible.

Projects previously funded by OES will be reviewed for poor past compliance, including fiscal management, progress and annual reports, audit reports, and other relevant documentation or information. This review may result in one or more of the following actions: a) the project may not be selected for funding; b) the amount of funding may be reduced; or c) grant award conditions may be placed in the Grant Award Agreement. See the attached Past Performance Policy for details.

3. **Notification Process**

Applicants will be notified in writing of the results of the rating process. Applicants not selected for funding will receive a denial letter containing their average score and information on the appeal process.

B. **FINALIZING THE GRANT AWARD AGREEMENT**

1. **Standard Project Funding Authority**

Allocation of funds is contingent on the enactment of the State Budget. OES does not have the authority to disburse funds until the budget is passed and the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. When the executed grant is received, and the State Budget is finalized, authorized expenditure reports may be submitted for reimbursement of expenditures incurred subsequent to the effective date of the grant award agreement.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, OES may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

OES Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

2. **Processing Grant Awards**

a. **Grant Award Conditions**

OES may add grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, these will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by OES.

b. **Grant Award Agreement**

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The applicant is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received. When the executed grant is received, the Report of Expenditures and Request for Funds (OES 201) may be submitted for reimbursement.

c. **Grant Award Amounts**

When the amount of funds available is limited, OES may reduce the amount of the grant award from the amount requested by the applicant. In addition, OES reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant Award

Agreement. If either of these actions is required, OES will notify the applicant prior to executing the Grant Award Agreement.

C. **ADMINISTRATIVE REQUIREMENTS**

The following requirements apply to projects selected for funding and are explained below for the recipient's planning purposes.

The Recipient Handbook (RH)

The *Recipient Handbook* is accessible on the OES Internet website at www.oes.ca.gov by selecting "*Recipient Handbooks*." The *Recipient Handbook* contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the *Recipient Handbook* requirements. Failure to comply with these requirements can result in the withholding grant funds or termination of the grant award.

The information below may be cross referenced with the *Recipient Handbook* by referencing the handbook section (RH) number.

1. **Internet Access (RH 11500)**

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the RFP instructions.

2. **Progress Reports and Data Collection (RH 10100)**

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, OES will review these records for accuracy and compare them with the reported data submitted on the progress reports.

3. **Monthly/Quarterly Report of Expenditures and Request for Funds (RH 6300)**

Community-based organizations shall submit a monthly Report of Expenditures and Request for Funds (OES 201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form OES 201 will result in the withholding of funds and may result in the recommendation to OES' Executive Director for termination of the grant award.

4. **Technical Assistance/Site Visits (RH 10300)**

Funded projects are assigned an OES program specialist to oversee the progress of the project in achieving its goals, objectives and compliance with the Grant Award Agreement. Program specialists are available to assist the project in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement. New projects should expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

5. **Monitoring Requirements (RH 10400)**

A monitoring visit is an onsite assessment by OES staff to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the *Recipient Handbook*. Projects will be monitored on a random or as-needed basis.

6. **Bonding Requirements (RH 2160)**

Private community-based organizations and American Indian organizations are required to obtain and send to OES a notarized copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of OES-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond or an endorsement must include the “State of California, Governor’s Office of Emergency Services” and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and total time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required terms of the program or grant award conditions.

7. **Audit Requirements (RH 8100)**

Recipients must arrange for an independent audit of the grant award and may budget a portion of the audit costs. Instructions for budgeting funds for audit costs are outlined in the *RH* Section 2234.

8. **Copyrights, Rights in Data, and Patents (RH 5300)**

OES owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. These ownership rights are detailed in the *Recipient Handbook*.

9. **Source Documentation (RH 10111)**

Recipients will be required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements pertaining to the objectives outlined in the Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis, regardless of submission requirements. Requirements and definitions for program specific source documentation are delineated in the RFP instructions. Recipients will be required to have written job descriptions on file for positions funded by OES detailing specific grant-related activities to achieve project objectives.

D. **BUDGET POLICY**

This document summarizes information on OES Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the *Recipient Handbook* at www.oes.ca.gov by selecting “*Recipient Handbooks*.”

1. **Supplanting Prohibited (RH 1313)**

Grant funds must be used to supplement existing funds for program activities and ***not replace*** funds appropriated for the same purpose. If selected for funding, a written certification must be provided to OES indicating grant funds will not be used to supplant existing funds. Potential supplanting will be the subject of application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1313 of the *Recipient Handbook*.

2. **Project Income (RH 6610)**

Project income, such as client fees and fees for services provided by the recipient (i.e., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money must be used to offset or augment the grant, unless otherwise specified in the RFP instructions. Project income cannot be used as matching funds, unless otherwise specified in the RFP instructions.

3. **Contract and Procurement (RH 3400)**

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by OES program staff is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a statement stating the selection of the individual organization was made competitively or a noncompetitive bid request will be required. OES will provide assistance in submitting a noncompetitive bid request if the proposal is selected for funding and if OES determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

4. **Match Policies (RH 6500)**

The RFP Instructions (Part II) may specify a cash or in-kind match. When used to augment the project, expenditures for items such as Personal Services, Operating Expenses or Equipment are considered match if not in violation of the prohibition on supplanting. Match must be specified in the budget and will become part of the Grant Award Agreement. Specific instructions for calculating the match are provided below. There are examples of how to calculate the match requirement in Sections 6550-6550.2 of the *Recipient Handbook*.

a. **State Funds Matching State or Federal Funds (RH 6522)**

State and/or federal funds can be used to match other state and/or federal funds ***only*** if the following conditions have been met:

- 1) the other funding source does not prohibit this practice;
- 2) the funds are to be used for identical activities (e.g., to augment the project); and
- 3) the project has obtained prior written approval from OES or specific RFP instructions allow this practice.

b. Type of Match

- 1) Cash Match (*RH 6511*)

Cash match, also known as hard match, is often derived from the local funding resources committed to a project such as county general fund revenue, United Way contributions, private donations or profits from fund-raising events. When used to augment the project, cash expenditures for items such as personnel, facilities and supplies may be considered cash match if not in violation of the prohibition on supplanting.

- 2) In-Kind Match (*RH 6572*)

In-kind match, also known as soft match, refers to goods and services which are contributed to the project, have a dollar value attached to them, and are also budgeted. In-kind contributions represent the project's non-cash outlay, including the non-cash outlay contributed by other public agencies and institutions, private organizations, and individuals. Examples include the donation of goods and volunteer time. In general, the value of in-kind contributions is determined by fair market value.

5. Travel Policies (*RH 2236*)

The following is OES' current travel policy:

a. Selection of Travel Policy (*RH 2236*)

The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines. Travel reimbursement will only be allowed based on actual costs.

- 1) Units of Government
Units of government may use their own written travel policy or the state policy.
- 2) Community-Based Organizations (CBO)

A community-based organization may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

b. State Travel Policy (*RH 2236.2*)

Use the following state travel policy for budgeting travel expenses:

- 1) Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for approval for out-of-state travel must be submitted for OES approval.

2) Mileage

When a privately owned vehicle is utilized on project-related business, a maximum of 50.5 cents per mile is allowed, unless a higher rate is justified. Documentation justifying a higher rate must be on file and available for audit, but should not be submitted with the proposal.

3) Meals and Incidentals

a) Breakfast \$6.00

Breakfast may be claimed when travel commences at or prior to 6:00 a.m. Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

b) Lunch \$10.00

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

c) Dinner \$18.00

Dinner may be claimed if the trip begins at or before 5:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

e) Total Per Diem

The maximum is \$40.00 for a 24-hour period.

4) Lodging

The maximum allowed lodging expense is \$84.00, plus applicable taxes, (except as noted below). Lodging receipts are required for reimbursement.

5) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140, plus applicable taxes.

6) Other

Taxi, airport shuttle, etc., which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

6. **Participating Staff (RH 4500)**

The term “participating staff” refers to salaried employees of a participating agency assigned to work with the recipient on the implementation of a project. The agreement between the recipient and the participating agency concerning participating staff must be reflected in the OA. Grant related costs associated with participating staff must be itemized in the Operating Expenses category of the grant budget.

7. **Consultant Services (RH 3710)**

Consultant services are provided on a contractual basis by individuals or organizations not directly employed by the applicant. Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- produce a specific product or service;
- work independently without direct supervision from the applicant;
- work on specific projects;
- provide services for a limited number of hours or period of time; and/or
- have no agency management or oversight responsibilities directed toward the financial success or direction of the agency.

a. **Rates**

The maximum rate for independent contractors is \$250 per hour (excluding travel and subsistence costs). A request for compensation for over \$250 per hour requires **prior approval** and additional justification.

1) **Independent Contractors Employed by State and Local Government**

Compensation for independent contractors will be allowed when the unit of government will not provide its services without cost. In these cases, the rate of compensation is not to exceed the daily salary rate paid by the unit of government.

b. **Expert Witness Fees (RH 3710.2)**

Projects, which routinely utilize “expert witnesses” as independent contractors to conduct evaluations and provide expert testimony in the courtroom, may budget for this expense. However, the project may only be charged for costs above what the jurisdiction is required to cover. The maximum allowable rate for such witness fees is \$250 per hour up to \$2,000 per day. The total amount budgeted for expert witness fees must not exceed ten percent (10%) of the project’s total budget. Requests for proposed expert witness costs must be accompanied by written justification indicating the following:

- qualifications, training, and experience of the expert(s), including a statement regarding recognition by the court of the individual as an expert;

- specialized certification/licensure [e.g., Masters in Social Work (MSW); Licensed Clinical Social Worker (LCSW), Marriage and Family Therapist (MFT); Medical Doctor (MD)];
- rate of pay per hour including documentation of a survey of the availability of similar consultants, the current “going rate,” and the proposed rate of pay with a cost breakdown if expert is paid according to services (e.g., mileage, waiting time, court testimony);
- proposed services to be provided (e.g., analysis of forensic evidence, psychological evaluation); and
- justification why this cost cannot be paid with other funds (Attach the justification to OES A303b).

8. Facility Rental (RH 2232)

Up to \$21 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the proposal.

a. Rental Space for Training and Counseling Rooms (RH 2232.1)

Rental space for training and individual and/or group counseling rooms may also be charged to the grant, providing the charge is based on actual costs and not reimbursed by other source.

9. Rented or Leased Equipment (RH 2233)

An explanation and cost analysis is required when equipment rented or leased. This analysis must demonstrate it is more cost-effective to rent or lease the equipment than it is to purchase it, and must be approved by OES prior to the execution of a rental or lease agreement.

10. Indirect Costs/Administrative Overhead (RH 2220)

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of total direct project costs (excluding equipment) may be budgeted by applicant for indirect costs if allowable by the funding source.

11. Audits (RH 8150)

OES projects expending \$25,000 or more of OES grant awards are required to complete and audit. The project may budget for the cost of obtaining a financial audit. Allowable audit costs are as follows:

- if the total amount of the grant is less than or equal to \$150,000, the applicant may budget up to \$2,000 for the financial audit cost; or

- if the total amount of the grant is greater than \$150,000, the applicant may budget up to one and a half percent (1.5%) of the total grant for financial audit cost.

12. Equipment (RH 2300)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

a. Allowable Expenses

Equipment used solely for project activities may be budgeted if it is essential to the implementation of the project. Grant funds may not be used to reimburse the recipient for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is requested, the project will be required to submit justification, including cost-effectiveness, with the Grant Award Forms Package. Prior approval by OES is required.

b. Computers (RH 2340)

1) Community-Based Organizations (RH 2342.1)

Community-based organizations may budget up to \$25,000 in computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. OES will evaluate the proposed purchase on the basis of grant-related need. Prior approval by OES is required.

2) Units of Government (RH 2342.2)

Units of government may budget for computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. OES will evaluate the proposed purchase on the basis of grant-related need. OES must give approval prior to purchase. If federal grant funds totaling in excess of \$100,000 are used for automated data processing purchases, prior federal approval is also required.

3) Computer Purchase Justification (RH 2341)

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. If selected for funding, the applicant will be sent instructions for preparing the justification.

c. Automobiles (RH 2331)

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement.

The justification must describe the need for the automobile, including the size of service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobiles usage during work hours. A cost analysis for automobile purchase as compared to other options including lease and personal automobile use and mileage, must be done and kept on file for review by OES's program staff during a site visit, monitoring visit, and/or audit.

13. Prohibited Expense Items (RH 2240)

a. Lobbying (RH 2242)

Refer to RH 2242.1 for an extensive list of prohibited activities.

b. Fundraising (RH 2243)

OES grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

c. Real Property and Improvements (RH 2244)

Real property, including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless specifically authorized in the RFP instructions.

d. Interest (RH 2245)

The cost of interest payments is not an allowable expenditure unless the cost is a result of a lease/purchase agreement.

e. Food and Beverages (RH 2246)

The cost of food and/or beverages at grant-sponsored conferences, meetings or office functions is not an allowable expenditure.

f. Weapons and Ammunition (RH 2247)

The cost of weapons and/or ammunition of any type are not an allowable expenditure, unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFP instructions.

g. Membership Dues (RH 2248)

The cost of membership dues for projects involved in the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFP instructions.

h. Professional License (RH 2248)

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFP instructions.

i. Annual Professional Dues or Fees (*RH 2248*)

The cost of professional dues or fees is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized by the RFP instructions.

j. Charges, Fees and Penalties (*RH 2245*)

Finance charges, late payment fees, penalties and returned check charges are not allowable expenditures.

k. Depreciation (*RH 2249*)

Equipment costs may not include additional costs calculated for depreciation.

GLOSSARY OF TERMS

Term	Definition
Activity	The specific steps or action a project takes to achieve a measurable objective.
Application	Once selected for funding, the original proposal and additional forms as required by OES becomes the application. This application, once signed by the OES director or designee and the local government agency or organization authorized to accept grant funding, becomes the Grant Award/Grant Award Agreement.
Community-Based Organization (CBO)	A documented, tax exempt, nonprofit, public benefit corporation serving the community. This term is used synonymously with nonprofit organization.
Equal Employment Opportunity Plan (EEOP)	A comprehensive plan analyzing the agency's workforce and all agency employment practices to determine their impact on the basis of ethnicity and gender.
EEOP Guidelines	Extensive description of state and federal civil rights requirements and what constitutes an EEOP (samples, forms, etc.). The document was prepared to assist recipients in ensuring nondiscrimination and in the development, implementation, and/or improvement of their EEOP for compliance with the law.
Grant Award/Grant Award Agreement	The signed agreement between OES and the local government agency or organization authorized to accept grant funding.
Grant Award Forms	The forms needed to prepare an application or proposal. They may be accessed on the OES website under " <i>Forms</i> " (FORMS)
Grant Funding Cycle	The number of years a program may be funded without soliciting a new competitive Request for Proposal. A funding cycle is typically three years.
Grant Funding Period	The period of time, determined by the Request for Proposal (RFP) or the Request for Application (RFA) which the project narrative, objectives, activities, and budget cover. The time period is usually one year, and is shown on the Grant Award Face Sheet (OES A301).
Implementing Agency	The agency or organization designated on the Grant Award Face Sheet responsible for the day-to-day operation of the project (e.g., probation department, district attorney, sheriff).
Noncompetitive Bid Contract	A contract for goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. (Contracts sometimes include goods as well as services, and this definition will also apply to those circumstances.)
Nonprofit Organization	A documented, tax exempt, nonprofit, public benefit corporation serving the community. The term is used synonymously with CBO.
Objectives	A set of quantifiable projections to be carried out in order to accomplish the program goals.

Term	Definition
Operational Agreement (OA)	A formal agreement between two agencies which specifies the responsibilities of each agency in implementing the project, including the transfer of grant funds when appropriate. This includes MOUs, Letters of Intent, etc.
Participating Agency	An organization that receives grant funds through an Operational Agreement to participate in achieving the goals of a project. The participating agency must be a unit of government or a community-based organization.
Program	A specific set of goals and objectives established pursuant to legislative, congressional, or administrative action identifying an unmet need of law enforcement or victim services and supported by an appropriation from state or federal funding sources.
Program Guidelines	The instructions concerning the programmatic and administrative requirements unique to a particular OES grant-funded program.
Project	The implementation of a program's goals and objectives by a funded state or local government agency or CBO.
Proposal	The packet of information and forms required by the RFP and submitted to OES which specifies the priorities, strategies and objectives of the applicant.
Recipient	The agency or organization designated on the Grant Award Face Sheet which receives the grant funds and who will be responsible for accomplishing the planned objectives and program goals (e.g., County of Alameda, City of Fresno, State Department of Justice, Fairfield Youth Services Bureau).
Recipient Handbook	This handbook outlines the administrative and fiscal terms and conditions required of grant projects. Funded projects must administer their grants in accordance with these conditions. The <i>Recipient Handbook</i> is accessible on the OES website at www.oes.ca.gov by selecting "Recipient Handbooks."
Request for Application (RFA)	The RFA is a packet of instructions and forms issued by OES to obtain applications from applicants through a noncompetitive process.
Request for Proposal (RFP)	The RFP is a packet of instructions and forms issued by OES to solicit competitive proposals in order to select projects for funding.
Supplanting	Supplanting is the deliberate reduction of federal, state, or local funds due to the existence of OES funds thereby reducing the total amount available for the stated purpose.
Terms of the Program	The applicable Program Guidelines, application requests [Request for Proposal (RFP)/Request for Application (RFA)], grant award agreement, OES policy statements, and applicable statutes. In the event the terms of the program are inconsistent with the provisions of this handbook, the terms of the program shall be interpreted and construed as superseding the provisions of this handbook.

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**EQUALITY FOR PREVENTION AND SERVICES FOR DOMESTIC ABUSE PROGRAM
COMPETITIVE REQUEST FOR PROPOSAL**

RATING FORM

	Control #:
	Rater #:
APPLICANT:	
FUNDS REQUESTED:	
PREFERENCE POINTS: <input type="checkbox"/> zero <input type="checkbox"/> 2% <input type="checkbox"/> 5%	

CATEGORY

**TOTAL POINTS
POSSIBLE**

1. PROBLEM STATEMENT.....	<u>125</u>
2. PLAN and IMPLEMENTATION	<u>250</u>
3. BUDGET	<u>50</u>
4. COMPREHENSIVE ASSESSMENT	<u>75</u>
TOTAL.....	500

Each of the above categories contains questions assigned a point value. The point scale is divided into five columns labeled **I, II, III, IV, and V**. The applicant's response to each question is evaluated on the following criteria:

- I. ABSENT:** The response does not address the specific question or a response was not provided.
- II. UNSATISFACTORY:** The response does not completely address the question. Information presented does not provide a good understanding of applicant's intent, does not give detailed information requested by the RFP, or does not adequately support the proposal or the intent of the program.
- III. SATISFACTORY:** The response addresses the question, providing a good understanding of the applicant's intent. Response adequately supports the proposal and the intent of the program.
- IV. ABOVE AVERAGE:** The response is above average, providing a clear and detailed understanding of the applicant's intent. The response presented a persuasive argument supporting the proposal and the intent of the program.
- V. EXCELLENT:** The response is outstanding, with clear, detailed and relevant information. The response presented a compelling argument supporting the proposal and the intent of the program.

	I	II	III	IV	V
1. PROBLEM STATEMENT (Maximum <u>125</u> points)	0	10	15	20	25
a. How well does the applicant describe the geographic size and location of the project?	0	10	15	20	25
b. How well does the applicant describe the population size and the prevailing socio-economic conditions?	0	10	15	20	25
c. How well does the applicant describe the prevalence of domestic violence in the lesbian, gay, bisexual, and transgender population?	0	10	15	20	25
d. How well does the applicant describe the current domestic violence services and resources, including their availability, and their accessibility?	0	10	15	20	25
e. How well does the applicant describe the types of services needed in the service area to address domestic violence and victimization in the lesbian, gay, bisexual, and transgender population?	0	10	15	20	25
2. PLAN AND IMPLEMENTATION (Maximum <u>250</u> points)					
a. How well does the applicant describe how the project will address and impact the problem?	0	3	5	7	10
b. How well does the applicant describe how the project will respond to the diversity of clients in the service area, including cultural, ethnic, language, and religious diversity, as well as physical and/or emotional disabilities?	0	3	5	7	10
c. How well does the applicant describe how emergency shelter services will be provided?	0	10	15	20	30
d. How well does the applicant describe how the agency's services are made known and accessible to the public and where primary referrals originate?	0	3	5	7	10
e. How well does the applicant describe examples of how the project has collaborated and coordinated resources and service with other agencies serving the LGBT community in the past and the commitment to continue that coordination and collaboration in the future?	0	3	5	7	10
f. How well does the applicant describe concerns in the handling of domestic violence incidents in the LGBT community and the agencies plan to try and address those concerns?	0	3	5	7	10
g. How well does the applicant describe any future plans for improvement or expansion of existing services?	0	3	5	7	10
h. How well does the project describes its history including the date of establishment and the organizations goals.	0	5	10	15	20
i. How well does the applicant describe their experience or capacity to undertake this program including fostering a welcoming environment, tracking LGBT persons, intake interviewing and case management, community outreach and partnerships, and policies and procedures.	0	5	10	15	20
h. How well does the applicant describe how LGBT DV victim calls are handled? How well does the applicant describe the procedures employed to provide 24-hour crisis intervention and assistance, including how calls are handled during business	0	5	8	11	15

	I	II	III	IV	V
hours and non-business hours. Describe how the crisis line is staffed and supervised. Describe what, if any, back-up procedures are utilized, and what, if any, quality control measures are in place?					
i. How well does the applicant describe individual and peer group counseling provided to LGBT DV victims including: The staff responsible for providing the counseling, both individual and peer/group, and their qualifications; The type of individual counseling provided and the type of peer support or group counseling provided; The supervision of staff; and the location of where counseling takes place?	0	3	5	7	10
j. How well does the applicant describe how the project advocates on behalf of its clients to other social service agencies? Discuss scenarios in which this advocacy would take place?	0	3	5	7	10
k. How well does the applicant describe how the LGB victims are assisted in obtaining TROs and other protective and/or custody orders. Describe the qualifications of project staff providing the legal assistance. Describe the supervision?	0	3	5	7	10
l. How well does the applicant describe the project's involvement in the local DV Council and any other collaborative DV partnerships that exist in the service area? Describe the local community social service network and the DV project's role in the network. Identify the agencies in the network and the types of services they provide. Discuss when and how LGBT DV victims are referred to agencies outside the DV project for assistance?	0	1	3	4	5
m. How well does the applicant describe how the project provides assistance to LGBT DV victims attempting to establish new residence, which includes transitional housing, furniture, food, transportation, cash donations, etc?	0	10	15	20	30
m. How well does the applicant describe how emergency shelter services are provided? Describe the client screening process and eligibility requirements?	0	15	20	32	35
n. How well does the applicant describe the project's involvement in the local education workshops and publications already developed for the lesbian, gay, bisexual, and transitional population?	0	1	3	4	5
3. BUDGET, including budget narrative (Maximum <u>50</u> points)					
a. How well does the budget narrative support the proposal objectives and activities, and the intent and requirements of the program?	0	10	15	20	25
b. How well are the funds allocated in the Budget Category Forms? How well do the line items support the proposal plan, objectives, and activities of the program?	0	10	15	20	25

	I	II	III	IV	V
4. COMPREHENSIVE ASSESSMENT (Maximum <u>75</u> points)					
How well does this proposal support the overall intent, goals, and purpose of the program?	0	20	35	50	75

SUMMARY OF PAST PERFORMANCE POLICY

The following is a summary of OES' Past Performance Policy. A complete copy may be obtained by sending a written, fax or email request to the attention of the Deputy Director of Law Enforcement and Victim Services Division:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: EQUALITY FOR PREVENTION AND SERVICES FOR
DOMESTIC ABUSE PROGRAM – LAW ENFORCEMENT AND
VICTIM SERVICES DIVISION
Fax: (916) 327-5674

1. General Policy

This policy is intended to penalize existing recipients having serious performance problems and will be utilized only in connection with the RFP process on the awarding of grants for new funding cycles. It was developed in consultation with OES' advisory groups.

2. Penalty Levels

Level A: Complete disqualification from RFP process.

Level B: 10% point reduction of total possible points from an applicant's score.

3. Standard For Invoking This Policy

The standard for invoking either penalty is whether the applicant's compliance with grant terms and conditions falls **significantly** below average — far below the level to be expected of other recipients, and not minor incident(s) of noncompliance with OES policies.

a. Serious Performance Problems Eligible For Consideration

Performance problems which would qualify under this policy include, but are not limited to:

- 1) significant failure to account for use of funds, mishandling/misuse of funds, fraud or embezzlement, or other material accounting irregularities or violation(s), as documented in an audit report, monitoring report, police report, or other similar objective documentation;
- 2) violation(s) of material statutory requirements related to the grant;
- 3) a willful or grossly negligent violation of an OES policy, or Terms of the Program, but **only after** the recipient had been provided:
 - a) technical assistance by OES, including a site visit if necessary, to remedy the violation;
 - b) at least one written notice (per violation); and
 - c) a reasonable opportunity to remedy the violation.

Written notice of serious performance problems will be provided to the recipient's executive officer. Failure to remedy the violation may negatively impact the recipient's eligibility for future funding.

It is not necessary for a criminal conviction to have occurred for OES to consider actions appearing to constitute fraud, embezzlement, mishandling of funds or other types of statutory violations. OES must only have reliable evidence this conduct occurred. Moreover, only properly documented performance problems will be considered.

b. Factors Considered

In determining an appropriate penalty, factors to be considered include, but are not limited to:

- 1) the seriousness of the problem;
- 2) whether the problem identified was intentional;
- 3) whether the problem revealed dishonest behavior by the applicant;
- 4) whether the interests of the State or the public were harmed by the problem;
- 5) whether the problem or problems were a one-time occurrence or represent an ongoing pattern of behavior;
- 6) whether the problem was documented objectively; and
- 7) whether OES attempted to assist the recipient in remedying the problem.

c. Specific Examples

Performance problems should be considered on a case-by-case basis, with the totality of the circumstances to be considered. The following examples are not intended to be binding or restrictive of OES' authority to determine the appropriate penalty in a particular case:

- 1) OES conducts a visit of a project and makes the following findings:
 - a) the shelter failed to pay overtime on two occasions;
 - b) three timesheets did not contain a supervisor's approval; and
 - c) the project's doors opened at 9:30 a.m. instead of 9:00 a.m. as stated on its RFP proposal.

A corrective action plan is developed and the recipient takes steps to address the findings. Communication with the recipient four months later shows the findings have been corrected.

Penalty: None

- 2) An audit a year ago discovered a project employee embezzled \$300 of OES funds. The audit concludes this occurred in part due to inadequate management controls and supervision by the project. The employee was fired and the case submitted to the district attorneys office for prosecution. The recipient has implemented new accounting and management policies and procedures, and promises to better supervise its employees. No other problems with the recipient are known.

Penalty: Level B

- 3) A project has agreed to provide victim advocacy services in County X. The recipient spends \$40,000 on non grant related expenses but does not provide the services. This is documented in the site visit report. The project's Progress Reports to OES report the services are being provided. OES refers the matter to the district attorney for prosecution, but no additional steps have yet been taken.

Penalty: Level A**4. Notification to the Applicant and Appeal of Decision**

A letter will be sent by certified mail to the applicant denied funding due to past performance problem(s). The applicant shall be provided with a summary of why the performance problem penalty was invoked. The applicant is entitled to appeal the denial of funding on the same basis as other appeals of denial of funding, pursuant to the Appeals Guidelines.

**California Evidence Code
Section 1037 – 1037.8**

1037. As used in this article, “victim” means any person who suffers domestic violence, as defined in Section 1037.7.

1037.1 (a) (1) As used in this article, “domestic violence counselor” means a person who is employed by a domestic violence victim service organization, as defined in this article, whether financially compensated or not, for the purpose of rendering advice or assistance to victims of domestic violence and who has at least 40 hours of training as specified in paragraph (2).

(2) The 40 hours of training shall be supervised by an individual who qualifies as a counselor under paragraph (1), and who has at least one year of experience counseling domestic violence victims for the domestic violence victim service organization. The training shall include, but need not be limited to, the following areas: history of domestic violence, civil and criminal law as it relates to domestic violence, the domestic violence victim-counselor privilege and other laws that protect the confidentiality of victim records and information, societal attitudes towards domestic violence, peer counseling techniques, housing, public assistance and other financial resources available to meet the financial needs of domestic violence victims, and referral services available to domestic violence victims.

(3) A domestic violence counselor who has been employed by the domestic violence victim service organization for a period of less than six months shall be supervised by a domestic violence counselor who has at least one year of experience counseling domestic violence victims for the domestic violence victim service organizations.

(b) As used in this article, “domestic violence victim service organization” means a nongovernmental organization or entity that provides shelter, programs, or services to victims of domestic violence and their children, including, but not limited to, either of the following:

(1) Domestic violence shelter-based programs, as described in Section 18294 of the Welfare and Institutions Code.

(2) Other programs with the primary mission to provide services to victims of domestic violence whether or not that program exists in an agency that provides additional services.

1037.2 (a) As used in this article, “confidential communication” means any information, including, but not limited to, written or oral communication, transmitted between the victim and the counselor in the course of their relationship and in confidence by a means which, so far as the victim is aware, discloses the information to no third persons other than those who are present to further the interests of the victim in the consultation or those to whom disclosures are reasonably necessary for the transmission of the information or an accomplishment of the purposes for which the domestic violence counselor is consulted. The term includes all information regarding the facts and circumstances involving all incidents of domestic violence, as well as all information about the children of the victim or abuser and the relationship of the victim with the abuser.

(b) The court may compel disclosure of information received by a domestic violence counselor which constitutes relevant **evidence** of the facts and circumstances involving a crime allegedly perpetrated against the victim or another household member and which is the subject of a criminal proceeding, if the court determines that the probative value of the information outweighs the effect of disclosure of the information on the victim, the counseling relationship, and the counseling services. The court may compel disclosure if the victim is either dead or not the complaining witness in a criminal action against the perpetrator. The court may also compel disclosure in the proceedings related to child abuse if the court determines that the probative value of the **evidence** outweighs the effect of the disclosure on the victim, the counseling relationship, and the counseling services.

(c) When a court rules on a claim of privilege under this article, it may require the person from whom disclosure is sought or the person authorized to claim the privilege, or both, to disclose the information in chambers out of the presence and hearing of all persons except the person authorized to claim the privilege and such other persons as the person authorized to claim the privilege consents to have present. If the judge determines that the information is privileged and shall not be disclosed, neither he nor she nor any other person may disclose, without the consent of a person authorized to permit disclosure, any information disclosed in the course of the proceedings in chambers.

(d) If the court determines that information shall be disclosed, the court shall so order and inform the defendant in the criminal action. If the court finds there is a reasonable likelihood that any information is subject to disclosure pursuant to the balancing test provided in this section, the procedure specified in subdivisions (1), (2), and (3) of Section 1035.4 shall be followed.

1037.3 Nothing in this article shall be construed to limit any obligation to report instances of child abuse as required by Section 11166 of the Penal Code.

1037.4 As used in this article, "holder of the privilege" means:

(a) The victim when he or she has no guardian or conservator.

(b) A guardian or conservator of the victim when the victim has a guardian or conservator, unless the guardian or conservator is accused of perpetrating domestic violence against the victim.

1037.5 A victim of domestic violence, whether or not a party to the action, has a privilege to refuse to disclose, and to prevent another from disclosing, a confidential communication between the victim and a domestic violence counselor in any proceeding specified in Section 901 if the privilege is claimed by any of the following persons:

(a) The holder of the privilege.

(b) A person who is authorized to claim the privilege by the holder of the privilege.

(c) The person who was the domestic violence counselor at the time of the confidential communication. However, that person may not claim the privilege if there is no holder of the privilege in existence or if he or she is otherwise instructed by a person authorized to permit disclosure.

1037.6 The domestic violence counselor who received or made a communication subject to the privilege granted by this article shall claim the privilege whenever he or she is present when the communication is sought to be disclosed and he or she is authorized to claim the privilege under subdivision (c) of Section 1037.5.

1037.7 As used in this article, “domestic violence” means “domestic violence” as defined in Section 6211 of the Family Code.

1037.8 A domestic violence counselor shall inform a domestic violence victim of any applicable limitations on confidentiality of communications between the victim and the domestic violence counselor. This information may be given orally.